

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

VS.

CRIMINAL NUMBER 2:20-cr-44-KS-MTP

ENOCH BUCKLEY, III

ORDER SETTING COMPETENCY HEARING

THIS CAUSE IS BEFORE THE COURT on Motion for Competency Hearing [25] filed by Enoch Buckley, III by and through counsel, requesting that a hearing be held pursuant to 18 U.S.C. §4241 to determine if the defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him and/or to assist properly in his defense. The Court held a telephonic conference with the attorney for Mr. Buckley, Mr. John Weber, and the attorney for the Government, Mr. Andrew Eichner on March 24, 2021. During the telephonic conference Mr. Weber discussed the reasons for filing the Motion which included prior mental health issues suffered by Mr. Buckley and certain learning disabilities. Mr. Weber further related during the conference that out of an abundance of caution that the Office of Public Defender employed Dr. Julie Teater, Psy.D. to perform an evaluation of Mr. Buckley and to render an opinion regarding the above described issues.

Dr. Teater performed the evaluation and provided a written report which was shared with counsel opposite and the Court. A copy of the report is attached hereto as a "Restricted Exhibit". Pursuant to §4241 the Court is required to conduct a hearing if there is reasonable cause to

believe that the defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceeding against him and to assist properly in his defense. While the parties and the Court, having read Dr. Teater's report, agree that Dr. Teater opines that "to a reasonable degree of psychological certainty, that Mr. Buckley has sufficient ability to confer with his attorney with a reasonable degree of rational understanding. He has a factual and rational understanding of the nature and object of the legal proceeding against him." [p. 6, report of Dr. Julie Teater].

Following the statutory directives, this Court sets a hearing on the Motion for Competency Hearing [25] for the 15th day of April, 2021, at 9:45 a.m.

SO ORDERED this the 25th day of March, 2021.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE